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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			HARPER, LEON JONATHAN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/606,345	Applicant(s) NOVAK ET AL.	
	Examiner Leon J. Harper	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/25/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the application 10606345 filed on 6/25/2003.

Claims 1-58 are pending.

Claim Rejections - 35 USC § 102

Claims 1-58 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6631369 (hereinafter Meyer).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As for claim 1 Meyer discloses: determine if contents of a folder of a computer filing system are changed without scanning the contents (See column 5 lines 22-24), scan the contents if the contents are changed (See column 10 lines 66-68); and modify a media library to reflect the change in the contents if the change includes addition or deletion of a media file (See column 11 lines 14-16).

As for claim 2, the rejection of claim 1 is incorporated, and further Meyer discloses: determine, prior to the scan of the contents, if the sub-contents of the subfolder are changed without scanning the sub-contents, and wherein the scan of the contents excludes the subfolder if the sub-contents of the subfolder have not changed (See column 12 lines 15-18 "recursive process").

As for claim 3, the rejection of claim 1 is incorporated, and further Meyer discloses: accessing a record to find a previous time that the folder was last modified (See column 5 line 27); determining a current time that the folder was most recently modified (See column 5 line 28 "time stamp in history table"); and comparing the current time with the previous time (See column 5 lines 26-28).

As for claim 4, the rejection of claim 4 is incorporated, and further Meyer discloses: communicating with the computer filing system across a communications network (See column 6 lines 52-54).

As for claim 5, the rejection of claim 1 is incorporated, and further Meyer discloses: wherein the determination, scan, and modification are performed without user interaction (See column 7 lines 44-46).

As for claim 6, the rejection of claim 1 is incorporated, and further Meyer discloses: determining, if the change includes addition of the media file, whether a user

has previously deleted a reference to the media file from the media library; and ceasing the modification if the user has previously deleted the reference to the media file from the media library (See column 10 lines 55-59 "deleting the url so that no modifications can be made).

As for claim 7, the rejection of claim 1 is incorporated, and further Meyer discloses: modify the media library to reflect the change in the contents if the change includes relocation of the media file (See column 11 lines 20-23 and column 10 lines 29-30 "detecting the file is missing from one folder invokes getting folder properties then url will be added to the folder of relocation and the url or index in the history file should be deleted at the old location).

As for claim 8, the rejection of claim 1 is incorporated, and further Meyer discloses: alter an address for a hyperlink of the media library to reflect the change in the contents if the change includes relocation of the media file to the address (See column 11 lines 20-23 and column 10 lines 29-30 "detecting the file is missing from one folder invokes getting folder properties then url will be added to the folder of relocation and the url or index in the history file should be deleted at the old location).

As for claim 9, the rejection of claim 1 is incorporated, and further Meyer discloses: adding to the media library a hyperlink to an address of the media file, if the change includes addition of the media file (See column 11 lines 23-25).

As for claim 10, the rejection of claim 1 is incorporated, and further Meyer discloses: deleting from the media library a hyperlink to an address of the media file, if the change includes deletion of the media file (See column 11 lines 27-28).

As for claim 11, the rejection of claim 1 is incorporated, and further Meyer discloses: adding to the media library metadata associated with the media file, if the change includes addition of the media file (See column 9 lines 21-24 "metadata can be part of the tag in the hyperlink").

As for claim 12, the rejection of claim 1 is incorporated, and further Meyer discloses: determining, if the change includes addition of the media file, whether there is a reference in the media library to another media file that is similar to the media file; and ceasing the modification if the media library includes the reference to the other media file (See column 9 lines 50-53).

As for claim 13 Meyer discloses: determine a first time that a folder in a computer filing system was most- recently modified (See column 11 lines 20-22 "folder timestamp"); determine, after an amount of time passes, a second time that the folder was most-recently modified (See column 11 lines 23-25 "timestamp in the history table"); compare the first time with the second time (See column 11 line 23); scan media-file contents of the folder if the first time and the second time are not equivalent;

and modify a media library if the media library does not reflect the media-file contents of the folder (See column 11 lines 14-16).

As for claim 14, the rejection of claim 13 is incorporated, and further Meyer discloses: record into a record the first time prior to determining the second time (See column 11 line 25 and note the transaction log); and load the record containing the first time prior to comparing the first time with the second time (See column 11 lines 60-65 "allowing for queries based on times greater than that in the time history).

As for claim 15, the rejection of claim 13 is incorporated, and further Meyer discloses: record into a record the first time prior to determining the second time (See column 11 line 25 and note the transaction log); and load the record containing the first time prior to comparing the first time with the second time (See column 11 lines 60-65 "allowing for queries based on times greater than that in the time history). Wherein the determination of the first time includes reading the record (See column 9 lines 54-55 "worker threads process log and time is eventually read from history log).

As for claim 16, the rejection of claim 13 is incorporated, and further Meyer discloses: record into a record that the first time and the second time are not equivalent if the first time and the second time are not equivalent and prior to scanning the media-file contents of the folder (See column 11 line 25 "no transaction log is created if they are not different).

As for claim 17 the rejection of claim 13 is incorporated, and further Meyer discloses: wherein the modify the media library includes adding a link to a new media file if the media-file content includes the new media file but the media library does not include the link to the new media file (See column 11 lines 23-25).

As for claim 18 the rejection of claim 13 is incorporated, and further Meyer discloses: wherein the modify the media library includes deleting a link to a missing media file if the media-file content does not include the missing media file but the media library does include the link to the missing media file (See column 11 lines 27-28).

As for claim 19 the rejection of claim 13 is incorporated, and further Meyer discloses: wherein the modify the media library includes altering a link to a missing media file if the media-file content does not include the missing media file and a second media-file content of a second folder does include the missing media file (See column 11 lines 10-12 and column 12 lines 23-26 "files with bad links are removed and links are added").

As for claim 20 the rejection of claim 13 is incorporated, and further Meyer discloses: determine a second folder's first time that a second folder in the computer filing system was most recently modified (See column 11 lines 20-22 "folder timestamp and column 2 lines 23-25 process is recursive); determine, after a second amount of

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time passes, a second folder's second time that the second folder was most recently modified (See column 11 lines 23-25 "timestamp in the history table"); compare the second folder's first time with the second folder's second time (See column 11 line 23); and prior to scanning the media-file contents of the folder, record into a record that the first time and the second time are not equivalent if the first time and the second time are not equivalent and that the second folder's first time and the second folder's second time are not equivalent if the second folder's first time and the second folder's first time are not equivalent (See column 11 line 25 and note the transaction log).

As for claim 21, the rejection of claim 13 is incorporated and further Meyer discloses: determining, if the media-file contents include a media file and the media library does not reflect the media file, whether a user has previously deleted a reference to the media file from the media library (See column 10 lines 55-58); and ceasing the modification if the user has previously deleted the reference to the media file from the media library (See column 11 lines 35-37 "MLCT won't be updated so when compared nothing will happen).

As for claim 22, the rejection of claim 13 is incorporated, and further Meyer discloses: altering a hyperlink in the media library to include a new address for the media file if: the media-file contents do not include the media file; the media library includes an old hyperlink to an old address for the media file; and a second media-file contents of a second folder in the computer filing system include the media file (See

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column 11 lines 10-12 and column 12 lines 23-26 "files with bad links are removed and links are added").

As for claim 23, Meyer discloses: reading a record containing old times that one or more folders in a computer's filing system were last modified (See column 11 lines 19-22); determining a new time that a first folder of the one or more folders in the computer's filing system was last modified (See column 11 lines 22-24); comparing the new time for the first folder with the old time for the first folder (See column 11 lines 22-24); scanning media-file contents of the first folder if the new time and the old time of the first folder are not equivalent (See column 11 lines 25-27); and modifying, if the media-file contents of the first folder have changed, a media library based on the change (See column 11 lines 25-29).

As for claim 24, the rejection of claim 23 is incorporated, and further Meyer discloses: marking in the record, prior to the determining the new time for the first folder, that each of the one or more folders needs to have new times determined (See column 11 lines 3-7 "the DDC").

As for claim 25 the rejection of claim 23 is incorporated, and further Meyer discloses: marking in the record, prior to the determining the new time for the first folder that each of the one or more folders needs to have new times determined (See column 11 lines 3-7 "the DDC"); and marking in the record, after the comparing, that the first

folder needs to be scanned if the new time and the old time are not equivalent or does not need to be scanned if the new time and the old time are equivalent (See column 11 line 25 and note the transaction log).

As for claim 26, the rejection of claim 23 is incorporated and further Meyer discloses: marking in the record, prior to the determining the new time for the first folder, that each of the one or more folders needs to have new times determined (See column 11 lines 3-7 "the DDC"); marking in the record, after the comparing, that the first folder needs to be scanned if the new time and the old time are not equivalent or does not need to be scanned if the new time and the old time are equivalent (See column 11 line 25 and note the transaction log); determining, prior to the scanning of the first folder if the new time and the old time of the first folder are not equivalent (See column 11 lines 22-23), a second folder's new time that a second folder of the one or more folders in the computer's filing system was last modified; and comparing the second folder's new time with the old time for the second folder(See column 11 lines 22-23 and See column 2 lines 23-25 process is recursive).

As for claim 27, the rejection of claim 23 is incorporated, and further Meyer discloses: marking in the record, prior to the determining the new time for the first folder, that each of the one or more folders needs to have new times determined (See column 11 lines 3-7 "the DDC"); marking in the record, after the comparing, that the first folder needs to be scanned if the new time and the old time are not equivalent or does

not need to be scanned if the new time and the old time are equivalent (See column 11 line 25 and note the transaction log) determining, prior to the scanning of the first folder if the new time and the old time of the first folder are not equivalent (See column 11 lines 22-23), a second folder's new time that a second folder of the one or more folders in the computer's filing system was last modified; and comparing the second folder's new time with the old time for the second folder and then mark in the record that the second folder needs to be scanned if the second folder's new time and the old time of the second folder are not equivalent or does not need to be scanned if the second folder's new time and the old time of the second folder are equivalent (See column 11 lines 22-26 and See column 2 lines 23-25 process is recursive).

As for claim 28 Meyer discloses: determine that two or more folders in a computer filing system have been modified; determine which of the two or more folders is most recently modified (See column 10 lines 36-40 "crawler"); scan a media-file content of the most-recently-modified folder (See column 11 59-64); and modify a media library to reflect the media-file content of the most- recently-modified folder if the media-file content of the most-recently-modified folder is not reflected in the media library (See column 12 lines 10-14).

As for claim 29, the rejection of claim 28 is incorporated, and further Meyer discloses: scan a media-file content of one of the two or more folders that were not most recently modified after the scan of the most-recently-modified folder (See column

10 lines 36-40 "crawler creates a list of all modified folders"); and modify the media library to reflect the media-file content of the one folder if the media-file content of the one folder is not reflected in the media library (See column 12 lines 10-14).

As for claim 30, the rejection of claim 28 is incorporated, and further Meyer discloses: wherein the scan is performed prior to scanning any other folder of the two or more folders (See column 2 lines 23-25 process is recursive "one folder is completed recursively and then the crawler moves to the next);

As for claim 31 Meyer discloses: determine that a folder in a computer filing system has been modified since an application began running that is capable of synchronizing media content of the folder with a media library (See column 8 lines 5-9); scan the media content of the folder (See column 11 lines 22-24); and modify the media library to reflect the media content of the folder if the media content of the folder is not reflected in the media library (See column 11 lines 14-16).

As for claim 32, the rejection of claim 31 is incorporated, and further determine, prior to the scan of the media content of the first folder, that a second folder in the computer filing system has been modified since the application began running (See column 8 lines 5-9 folders are checked with every query); and scan the media content of the second folder prior to the scan of the first folder (See column 10 lines 44-47 second folder will be higher on the list than first folder).

As for claim 33, the rejection of claim 31 is incorporated, and further Meyer discloses: determine, prior to the scan of the media content of the first folder, that a second folder in the computer filing system has been modified since the application began running (See column 8 lines 5-9 folders are checked with every query);; and scan the media content of the second folder, wherein the scan of the first folder is performed prior to the scan of the second folder (See column 10 lines 44-47 first folder will be higher on the list than first folder).

As for claim 34, the rejection of claim 31 is incorporated and further Meyer discloses: determine that one or more other folders in the computer filing system have been modified prior to the application beginning to running (See column 8 lines 5-9 folders are checked with every query, also crawler will have a list of all modified folders), wherein the scan of the folder is performed prior to the scan of the one or more other folders (See column 10 lines 44-47 folders that were modified are in the list).

As for claim 35, Meyer discloses: determine if a media file has just been added to or deleted from a memory device (See column 10 lines 18-20); and alter a media library to include a reference to the media file if it is added or remove the reference to the media file if it is deleted (See column 10 lines 55-59).

As for claim 36, the rejection of claim 35 is incorporated, and further Meyer discloses: receiving notification that a folder containing or having once contained the media file has been modified (See column 11 lines 23-25 timestamp will be different if there was a modification); scanning the folder to determine a current content of the folder; and comparing the current content of the folder with a prior content of the folder (See column 11 lines 37-41).

As for claim 37, the rejection of claim 35 is incorporated, and further Meyer discloses: adding a hyperlink to the media file if it is added or removing the hyperlink to the media file if it is deleted from the folder (See column 9 lines 49-54).

As for claim 38, the rejection of claim 35 is incorporated, and further Meyer discloses: determining, if the media file is added to the folder, whether a user has previously deleted an old reference to the media file from the media library (See column 11 lines 10-14 deleted item will be on one list and not the other); and ceasing the alteration if the user has previously deleted the old reference (See column 12 lines 5-8).

As for claim 39, the rejection of claim 35 is incorporated, and further Meyer discloses: determining if the media file has just been moved from a first location in a memory device to a second location in the memory device, and the alteration further includes: altering a reference to the media file to include a hyperlink to the second

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location if the media file has just been moved (See column 11 lines 20-23 and column 10 lines 29-30 "detecting the file is missing from one folder invokes getting folder properties then url will be added to the folder of relocation and the url or index in the history file should be deleted at the old location).

As for claim 40 Meyer discloses: determining if a media file has been removed from a first folder of a computer's filing system; determining if the media file has been added to a second folder of the computer's filing system (See column 12 lines 10-13); and altering, if the media file has been removed from the first folder and added to the second folder, a reference to the media file in a media library to include an address of the media file in the second folder (See column 12 line 14).

As for claim 41, the rejection of claim 40 is incorporated, and further Meyer discloses: wherein the altering the reference includes adding a hyperlink to the address of the media file in the second folder (See column 11 lines 28-31).

As for claim 42 the rejection of claim 40 is incorporated, and further Meyer discloses: wherein the altering the reference further includes deleting a hyperlink to an old address of the media file in the first folder (See column 10 lines 55-59).

As for claim 43 the rejection of claim 40 is incorporated, and further Meyer discloses: wherein the first folder and the second folder are child folders to one or more parent folders of the computer's filing system (See column 12 lines 15-17 and See column 12 lines 15-18).

As for claim 44 Meyer discloses: receive notification that a folder has just been modified (See column 10 lines 35-37 document store give notification); determine if a media file within the folder has been added or deleted (See column 11 lines 20-25); and alter a media library to include a link to the media file if it is added or remove the link to the media file if it is deleted (See column 11 lines 24-26).

As for claim 45 the rejection of claim 44 is incorporated, and further Meyer discloses: mark in a record, prior to the determination, that the folder has just been modified (See column 11 lines 23-26 record ==transaction log).

As for claim 46 the rejection of claim 44 is incorporated and further Meyer discloses: mark in a record, prior to the determination, that the folder has just been modified; and store the record (See column 11 lines 23-26 record ==transaction log).

As for claim 47 the rejection of claim 44 is incorporated, and further Meyer discloses: mark in a record, prior to the determination, that the folder has just been modified (See column 11 lines 23-26 record ==transaction log).; mark in the record that

the determination is performed for the folder after the determination (See column 11 lines 34-36); and store the record (See column 11 23-26 transaction log is stored).

As for claim 48 the rejection of claim 44 is incorporated and further Meyer discloses: read a record showing whether the determination for the folder has or has not yet been performed (See column 10 lines 36-40 crawler maintains list of folder yet to be examined); and performed the determination if the determination has not yet been performed (See column 10 lines 38-40).

As for claim 49 the rejection of claim 44 is incorporated and further Meyer discloses: marking in a record that the folder has just been modified (See column 11 lines 23-26 record ==transaction log); and pausing to perform the determination until the computer has sufficient computational cycles to perform the determination (It is inherent that an application will not run if it does not have sufficient computational cycles to perform the determination).

As for claim 50 the rejection of claim 44 is incorporated, and further Meyer discloses: marking in a record that the folder has just been modified(See column 11 lines 23-26 record ==transaction log); and pausing to perform the determination until the computer has sufficient computational cycles to perform the determination without interfering with a performance of a media player (It is inherent that an application will not run if it does not have sufficient computational cycles to perform the determination).

As for claim 51 Meyer discloses a name of the folder (See column 7 lines 59-61); a modification time of the folder (See column 11 lines 22-24); and an indicator showing whether or not the folder has been modified (See column 11 lines 24-27 indicator is timestamp).

As for claim 52 the rejection of claim 51 is incorporated and further Meyer discloses: wherein the record further includes a second indicator for the folder showing whether or not the folder has recently had its modification time checked (See column 9 lines 56-59).

As for claim 53 the rejection of claim 51 is incorporated and further Meyer discloses: wherein the record is further capable of mapping the retained information one-to-one to the folder and any subfolders of the folder (See column 10 lines 20-25).

As for claim 54 the rejection of claim 51 is incorporated and further Meyer discloses wherein the record includes an XML tile (See column 20-25 "allows for user defined metadata tags).

As for claim 55 Meyer discloses: means for determining if a media file has just been added to or deleted from a memory device (See column 11 lines 22-26 "if there is no entry in the history table file is being added), and means for altering a media library

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to include a new reference to the media file if it is added or remove an old reference to the media file if it is deleted (See column 11 lines 25-28 "creating new transactions).

As for claim 57 the rejection of claim 56 is incorporated and further Meyer discloses: means for receiving notification that a folder containing or having once contained the media file has been modified (See column 10 lines 35-37 document store give notification); means for scanning the folder to determine a current content of the folder (See column 11 lines 37-39); and means for comparing the current content of the folder with a prior content of the folder(See column 11 lines 39-41).

As for claim 58 the rejection of claim 56 is incorporated and further Meyer discloses: means for assessing a previous time in which a folder containing or having once contained the media file was previously modified (See column 11 lines 22-24); means for assessing a current time in which the folder was most recently modified (See column 11 lines 22-25); means for comparing the previous time with the current time (See column 11 line 23); and means for scanning the folder if the previous time and the current time are not equivalent (See column 11 lines 26-30).


Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LJH
Leon J Harper
December 22, 2005


**MOHAMMAD ALI
PRIMARY EXAMINER**